

SENATE FLOOR AMENDMENTS

2021 Regular Session

Amendments proposed by Senator Abraham to Engrossed Senate Bill No. 101 by Senator Abraham

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before "relative" delete "R.S. 9:4759(5)(a)," and insert  
3 "R.S. 9:4759(3) and (5)(a) and to enact R.S. 9:4757(9) and 4758.1,"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "lessee;" insert "to provide relative to notice of privilege;"

6 AMENDMENT NO. 3

7 On page 1, delete line 8 and insert the following:

8 "Section 1. R.S. 9:4759(3) and (5)(a) are hereby amended and reenacted and R.S.  
9 9:4757(9) and 4758.1 are hereby enacted to read as follows:

10 §4757. Definitions

11 As used in this Part, unless the context clearly requires otherwise:

12 \* \* \*

13  
14 **(9) "Wireless telecommunications device" means a cellular telephone, a**  
15 **text messaging device, a personal digital assistant, a stand-alone computer, or**  
16 **any other substantially similar wireless device.**

17 \* \* \*

18 **§4758.1. Notice of privilege**

19 **A. A lessee shall be notified of the privilege created by this Part before**  
20 **enforcement of the privilege by an owner. Notification of the privilege created**  
21 **by this Part shall be satisfied by either of the following:**

22 **(1) A written rental agreement signed by the lessee that includes the**  
23 **notice of privilege created by this Part. The notice of privilege in the rental**  
24 **agreement shall be in bold typed print of not less than twelve-point font. At the**  
25 **time of execution of the rental agreement, the owner shall bring the notice of**  
26 **privilege to the attention of the lessee and the lessee shall initial by the notice of**  
27 **privilege in the rental agreement.**

28 **(2) A written notification of the privilege is sent to the lessee by verified**  
29 **mail to the last known address of the lessee, and by electronic mail to a primary**  
30 **and secondary email address of the lessee and by text message to the wireless**  
31 **telecommunications device of the lessee provided the email addresses and**  
32 **number of the wireless telecommunications device are listed in the rental**  
33 **agreement.**

34 **B. An owner who does not have a written rental agreement that includes**  
35 **a notice of the privilege created by this Part shall not initiate an enforcement**  
36 **action as provided in this Part until thirty days after the written notice of a**  
37 **privilege is mailed to the lessee as required by Paragraph (A)(2) of this Section."**

38 AMENDMENT NO. 4

39 On page 1, between lines 15 and 16 insert:

40 "(3) The notice shall be delivered in person to the lessee or sent by verified  
41 mail to the last known address of the lessee, and by electronic mail ~~if the email~~  
42 ~~address is provided by the lessee in the rental agreement.~~ to a primary and  
43 secondary email address of the lessee and by text message to a wireless  
44 telecommunications device provided the email addresses and number of the

1 wireless telecommunications device are listed by the lessee in the rental  
2 agreement.

3 \* \* \*"

4 AMENDMENT NO. 5

5 On page 2, after line 9, insert:

6 "Section 2. This Act shall become effective on January 1, 2022; if vetoed by the  
7 governor and subsequently approved by the legislature, this Act shall become effective on  
8 January 1, 2022, or on the day following such approval by the legislature, whichever is  
9 later."